

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |            |
|---------------------------|---|------------|
| UNITED STATES OF AMERICA, | ) |            |
|                           | ) |            |
| Plaintiff,                | ) |            |
|                           | ) | 4:05CR3025 |
| v.                        | ) |            |
|                           | ) |            |
| GARY OH WARD and LILLIAN  | ) |            |
| RUIZ,                     | ) | ORDER      |
|                           | ) |            |
| Defendants.               | ) |            |
|                           | ) |            |

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At the time of the scheduled plea hearing as to defendant Gary Oh Ward on November 29, 2005, defendant indicated that he did not wish to plead guilty but that he wished to contact new counsel and have a trial set.

IT THEREFORE HEREBY IS ORDERED,

1. Present counsel is granted leave to withdraw effective upon the appearance of new counsel. Defendant is give 20 days to find new counsel and have that attorney file an appearance.

2. Trial of this matter as to the above-named defendants shall commence at 9:00 a.m., January 17, 2006, before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

3. Defendant waived Speedy Trial in open court, so the time between today and January 17, 2006 is not to be included in any calculation of Speedy Trial time.

4. The government is given until December 2, 2005 to respond to defendant's motion for modification of conditions of release.

DATED this 29<sup>th</sup> day of November, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge